### UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

**GENX INTERNATIONAL, INC. and** 

: CIVIL ACTION NO. 05-CV-10419(DPW)

IVFONLINE.COM, LLC,

Plaintiffs,

٧.

JEREMY JOHNSON and REPROMEDIX CORP.,

: JUNE 29, 2006

Defendants.

## PLAINTIFFS' SECOND MOTION TO COMPEL

Pursuant to Rule 37 of the Federal Rules of Civil Procedure and Local Rule 37.1, Plaintiffs hereby move the Court for an order compelling Defendant Johnson to fully and fairly comply with Request for Production 34 in Plaintiffs' First Set of Interrogatories and Request for Production to Defendant Johnson, dated and served September 21, 2005, to which Defendant Johnson has objected and refused to comply. Plaintiffs also request that the Court order Defendants to pay them the reasonable expenses they incurred in preparing their Second Motion to Compel, including attorney's fees.

A Memorandum of Law accompanies this motion.

#### REQUEST FOR ORAL ARGUMENT

Plaintiffs believe that oral argument may assist the Court and wish to be heard. Therefore, Plaintiffs request oral argument on their Second Motion to Compel.

# GENX INTERNATIONAL, INC. and IVFONLINE.COM, LLC

By: /s/ Michael J. Spagnola
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### **LOCAL RULE 37.1 CERTIFICATION**

I hereby certify that the provisions of Local Rule 37.1 have been complied with.

/s/ Michael J. Spagnola Michael J. Spagnola

### **LOCAL RULE 7.1 CERTIFICATION**

I hereby certify that counsel have conferred and have attempted in good faith to resolve or narrow the issues presented in Plaintiffs' Second Motion to Compel.

<u>/s/ Michael J. Spagnola</u> Michael J. Spagnola

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 29, 2006, a copy of the foregoing Second Motion to Compel was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Michael J. Spagnola Michael J. Spagnola